

WEED MANAGEMENT REQUIREMENTS FOR SUBDIVISIONS

JEFFERSON COUNTY WEED DISTRICT

Submission Check List

revision January 2011

- ____ 1. Map detailing existing weed species and location, and indicating water courses
- ____ 2. Weed Management Plan with covenants
- ____ 3. Revegetation Plan.
- ____ 4. Site visit
- ____ 5. Payment of Site Inspection Fees (\$150)

NOTE: Noxious Weed Management and Revegetation Plans and Noxious Weed Management Agreement are reviewed at a regular meeting of the Jefferson County Weed District. Submit completed **Noxious Weed Management and Revegetation Plans** and **Noxious Weed Management Agreement**, at least **10 business days** prior to a Weed District Board regular meeting. The Jefferson County Weed District meetings are scheduled on the 2nd Thursday of each month.

1) Requirements for Subdivision and Preliminary Plat Approval

Prior to construction/disturbance, a **Noxious Weed Management and Revegetation Plan** must be completed by the Landowner/Agent/Contractor and submitted to the Jefferson County Weed District Office. This plan must specify the methods to be used for:

- The revegetation of disturbed areas within the subdivision,
- the management of noxious weeds already infesting land(s) within the subdivision or that may arise during development.

This plan is subject to approval by the Board, which may require revisions to bring the plan into compliance with the District's Noxious Weed Management Plan and the Montana County Noxious Weed Control Act. This plan also indicates that the applicant is **familiar** with The District's Noxious Weed Management and relevant sections of the Montana County Noxious Weed Control Act.

(b) Prior to Final Plat approval a **Noxious Weed Management Agreement** (included) must entered into by the District and the Landowner indicating that the landowner has been informed of and is in compliance with The Noxious Weed Management and Revegetation Plan covering this property.

Documentation that the Weed Management and Revegetation Plan (WMP) has been implemented. Documentation should include date(s) when weed control and/or revegetation methods listed in the WMP were completed. If applicable, provide name(s) of contractors who completed the work.

Is the Landowner/Agent/Contractor informed concerning the relevant sections of the Montana County Noxious Weed Control Act? Yes ☐ No ☐

Signature _____ **Applicant/ Landowner**
(Signature must be by owner of record)

**Jefferson County Weed District
111 Odyssey Lane
Boulder, Montana 59632**

Weed Board:
Cory Fitzgerald, Chairman
Bill Gillespie
Jeff Pallister

Jill Allen - Weed Coordinator
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Date Plan Received _____

Before construction/disturbance begins, please complete and submit a copy of the Noxious Weed Management and Revegetation Plan to the Jefferson County Weed District Office for review by the Board. Upon approval by the Board, this plan must be signed by the Chairman of the Board or appointed Representative in cooperation with the agency responsible for the disturbance and constitutes a binding agreement between the Board and such person or agency.

Name of Project/Subdivision _____

(A) GENERAL INFORMATION

1. Name of Applicant: _____
(Print Full Name and Name of Company)

(Address - City - State - Zip) (Telephone)

Name of Landowner: _____

(Address - City - State - Zip) (Telephone)

2. Geographic Location to be covered by this Plan:

Legal Description: T _____ R _____ Section _____

General area of Location _____

Total Acres _____ **Number of Lots** _____ **Inspection Fee** _____

3. Current Land Use (Please check the appropriate box(s))

(a) Previous or Historical Land Use

Agriculture ☐ Residential ☐ Commercial/Industrial ☐ Pasture ☐ non-crop ☐ Other ☐

(b) Future Land Use

Agriculture ☐ Residential ☐ Commercial/Industrial ☐ Pasture ☐ non-crop ☐ Other ☐

4. A map of the area and a Copy of the Subdivision Plat Attached? Yes ☐ No ☐

Please indicate any water courses, ponds or springs on the property

B) NOXIOUS WEED MANAGEMENT PLAN

1. Describe the present ground cover on the site.

2. If known, List any sensitive plants, wildlife or riparian areas on this site (Check Montana Heritage web site)

3. List any water courses- streams, ditches, sloughs or ponds that are on the property. (please indicate on a map)

4. Are noxious weeds present on the property? Yes No Unknown (due to snow cover)
If yes, list which species and the approximate size of infestation(s). Attach map showing location of noxious weeds on property. If unknown due to snow cover, Cooperator will submit a completed noxious weed inventory and explanation of control methods for review by the Weed Control District by May 15th of the upcoming field season.

5. What if any weed control methods that have been applied to this property. List any herbicides that have been used and the date applied if within the last three years

6. Will any planned herbicide control work done by- Self or Contracted
What (if known) herbicides will be use for weed control on this site?

An Application record for any herbicides or a report of treatments applied must be sent to the Jefferson County Weed District for a period of three years.

7. Other Control Methods: Please list any weed control method such as Cultural or Bio Control that may be used on this site and the reasons for use. Why will these methods be used?

8. How do you plan to prevent the introduction of weeds on this site? Describe the methods that will be used to prevent the introduction of noxious weeds during the construction of roads, utility installation and buildings.

Noxious Weed Requirements for Subdivision Covenants

In order to comply with the Noxious Weed Management Plan of the District and the Montana County Noxious Weed Control Act, the District requires that the following items be addressed in the covenants of each subdivision within Jefferson County.

(a) Landowners are responsible for noxious weed control on their own individual lots as stated in the Montana County Noxious Weed Control Act (7-22-2116) and according to the District's Noxious Weed Management Plan.

(b) The Owners Association* is responsible for noxious weed control in all parks, open spaces, community areas, trails and roadways within the subdivision. If there is no Owners Association then the landowners as a whole are responsible for noxious weed control in the parks, open spaces, community areas, roads and trails. . The Owners Association will also act as the contact point for any noxious weed complaints within the subdivision.

Covenants are as follows:

"The control of noxious weeds by the Owners Association on those areas for which the Owners Association is responsible and the control of noxious weeds by individual owners on their respective lots shall be as set forth and specified under the Montana Noxious Weed Control Act (MCA 7-22-2101 through 7-22-2153) and the rules and regulations of the Jefferson County Weed District. The landowner shall be responsible for the control of the state and county declared noxious weeds on his or her own lot. Both unimproved and improved lots shall be managed for noxious weeds. In the event a landowner does not control the noxious weeds, after 10 days notice from the Owners Association, the Owners Association may cause the noxious weeds to be controlled. The cost and expense associated with such weed management shall be assessed to the lot and such assessment may become a lien if not paid within thirty (30) days of the mailing of such assessment. The Owners Association is responsible for control of state and county declared noxious weeds in the subdivisions parks, open spaces, community areas, trails, and roadways."

Submit a draft of the Weed Management Covenants that will be placed on this property

*(Note: Owners Association refers to the subdivisions Homeowner, Business, Property Association, etc. as named in the subdivisions covenants or recorded on the plat.)

c) REVEGETATION PLAN FOR DISTURBED AREAS

Mandatory Ground Cover Requirement Areas of development such as roads, construction staging sites and utilities will be re-vegetated immediately upon completion of work. Lands that were in agricultural production and not having an existing grass cover will be planted to a grass seed mix approved by the Weed District when agricultural production has ceased.

MANDATORY REVEGETATION REQUIREMENTS: Areas disturbed during subdivision development (road construction, pond construction, service/utility/gas/electric/telephone line installation) will have a layer of topsoil placed on the disturbed areas sufficient for a seed base. Disturbed areas will be seeded to a grass seed mix as approved by the Weed District. In conjunction with the grass seeding, during the first and second years of grass establishment, and in the third week of June and in the fourth week of July, the areas seeded to grass will be mowed to prevent weed seed development and dispersal.

1. Will utility/service lines be installed? Yes ☐ No ☐

a) If yes, length of service lines (ft. or miles):

b) If yes, area of disturbance (sq. ft.)

2. Will a road system or extensive driveways be constructed? Yes ☐ No ☐

a) If yes, length of road (ft. or miles):

b) If yes, area of disturbance (sq. ft.):

3. Will any special landscape features or water courses be constructed?

4. What revegetation will be done on construction sites: List the method(s) (seeding, sod installation, tree/shrub planting, etc) to be used to accomplish revegetation of the disturbed areas (service utility lines, fire ponds, road system, others) listed above.

Note: If dependent upon natural precipitation for grass establishment then plant prior to May 15th for a spring seeding or after October 15th for a fall dormant seeding.

Weed District:

Fees Paid_____

Date of site visit:_____

Property representative:_____

District Coordinator/ Representative:_____

Review OF NOXIOUS WEED MANAGEMENT AND REVEGETATION PLAN

APPROVED ☐

APPROVED WITH CONDITIONS ☐

NOT APPROVED ☐

CONDITIONS: _____

Upon **Approved** or **Approved With Conditions** the Landowner agrees to comply with the above submitted Noxious Weed Management and Revegetation Plan.

(Signature of Weed Board Chairman/Representative)

(Signature of Agent/ Contractor)

(Type/print name of Chairman/Representative)

(Type/print name of Agent/Contractor)

(Date)

(Date)

(Signature of Landowner)

(Type/print name of Landowner)

(Date)

With submittal of the Noxious Weed Agreement for final plat approval the Applicant will provide: Documentation that the above Weed Management & Revegetation Plan has been implemented.

Noxious Weed Management Agreement

This agreement made effective this _____ day of _____, by and between the Jefferson County Weed District, P.O. Box H, Boulder, Montana, 59632, hereafter referred to as the "District," and _____ of _____ Montana, hereafter referred to a "Developer,"

Whereas, the Jefferson County Weed District is concerned about noxious weeds in proposed subdivisions as these weeds have the potential to decimate areas, and

Whereas, Section §7-22-2109(2)(b), MCA provides that the County Weed Board may establish management criteria for noxious weeds on all land within the District;

Now therefore, the parties agree:

1. Noxious Weed Management Agreement. The Developer agrees to enter into a five year noxious weed management plan approved by the Jefferson County Weed District. Said plan is attached to this agreement as Exhibit "A" and by this reference made a part thereof. This agreement shall be approved by the District and shall set forth a three year noxious weed management plan for the entire parcel and remainder tracts. Developer shall comply with the requirements of this plan, and agrees that failure to comply with said plan will result in weed mitigation action by the District. Said mitigation costs shall be charged to the Developer and shall constitute a lien and special tax on the property pursuant to §7-22-2148, MCA.

2. Noxious Weed Management on Parcels Under Developer's Control. The Developer agrees to control noxious weeds on the lots under Developer's ownership until said lots or remainder tracts have transferred ownership. The Developer will give notice of this obligation and transfer the remainder of the three year obligation to the buyer. If it is determined by the Weed District, the landowner/developer/ lot owner fails or is unable to accomplish the objectives of weed control or re-vegetation plan the Weed District may enlist a contractor to complete the work and place a lien on the property to recover all cost.

3. Noxious Weed Control on Roadways. The Developer agrees to control noxious weeds on all roadways within the subdivision until a homeowners' association is established for the subdivision. At the point of establishment of the homeowner's association, the homeowners' association that will accept the responsibility of managing noxious weeds along roadways within the subdivision. The articles of incorporation and by-laws of said homeowner's association will contain a provision for mandatory dues to the homeowners' association sufficient to cover the costs of weed management along the roadways within the subdivision. Should it be determined by the Weed District that weed control along commonly used roads is not being done, the District may apply weed control and assess each lot equally for the cost.

4. Restrictive Covenants. The Developer will establish restrictive covenants that provide for each property owner to manage noxious weeds on their individual parcels. Said covenants will require each property owner to develop a three year weed management plan in accordance with the Jefferson County Weed District upon purchase of the parcel.

5. Final Plat. Developer shall place a statement on the face of the Final Plat stating "Weed management will be the responsibility of the individual property owners within the subdivision". State statutes stipulate that all property owners will control noxious on lands under their ownership (7-22-201 thru 7-22-2153, MCA)

In Witness Whereof we have set our hands and seals this _____ day of _____.

Jefferson County Weed Board

by: Cory Fitzgerald, Chairman

(Applicant Signature & Date)

(Land Owner Signature & Date)